

NOTE: CHANGES HAVE BEEN
MADE TO THIS DOCUMENT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LARRY C. FLYNT,
LFP VIDEO GROUP, LLC,
and LFP IP, LLC,

Plaintiffs,

vs.

FLYNT MEDIA CORPORATION,
a Delaware Corporation; JIMMY
FLYNT, II; DUSTIN FLYNT; and
DOES 1 through 10 inclusive,

Defendants.

Case No.: 2:09-cv-00048-AHM-
RZx

JUDGMENT ON JURY
VERDICT

This action came on for trial before the Court and a jury, Honorable A.
Howard Matz, United States District Court Judge, presiding, and the issues having
been duly tried and the jury having duly rendered its verdict,

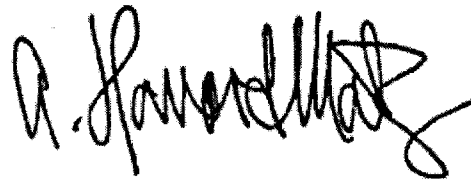
IT IS ORDERED, ADJUDGED AND DECREED:

1 Judgment is hereby entered under the terms of the Special Verdict Form,
2 which is attached hereto and incorporated herein by reference.
3
4

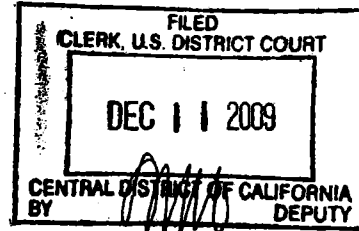
5 Neither side shall be deemed the prevailing party.
6
7

8 The Order of Permanent Injunction is being filed separately.
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10
11 Dated: December 28, 2009
12

A handwritten signature in black ink, appearing to read "A. Howard Matz", written over a horizontal line.

13 A. HOWARD MATZ
14 U.S. DISTRICT COURT JUDGE
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LARRY C. FLYNT, LFP VIDEO
GROUP, LLC, and LEP IP, LLC,

Plaintiffs,

v.

FLYNT MEDIA CORPORATION,
et al.,

Defendants.

CASE NO. CV 09-48 AHM (RZx)

REDACTED

SPECIAL VERDICT FORM

**SECTION 1: FEDERAL INFRINGEMENT OF AN UNREGISTERED
TRADEMARK (Jury Instructions No. 3A-3G)**

On the claim of Plaintiffs Larry Flynt, LFP Video Group, LLC and LFP IP,
LLC against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin
Flynt for trademark infringement, we the jury make the following findings:

///

///

Yes ~~_____~~ No _____

Yes X No

(c) As to Defendant Dustin Flynt: Yes X No

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2 **Please proceed to Section 2**
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4 **SECTION 2: FALSE ENDORSEMENT (Jury Instruction No. 4)**
5

6 On the claim of Plaintiffs Larry Flynt, LFP Video Group, LLC and LFP IP,
7 LLC against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin
8 Flynt for false endorsement under the Lanham Act, we the jury make the
9 following findings:
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11 1. Did Plaintiffs prove by a preponderance of the evidence that by
12 using the name FLYNT, Defendants used Plaintiff Larry Flynt's name, persona or
13 likeness in a manner that is likely to cause confusion or to deceive consumers as
14 to whether Larry Flynt has an affiliation, connection, or association with
15 Defendants' goods, services, or commercial activity?
16

17 (a) As to Defendant FLYNT Media Corporation: Yes X No
18

19 (b) As to Defendant Jimmy Flynt, II: Yes X No
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21 (c) As to Defendant Dustin Flynt: Yes X No
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23

24 **Please proceed to Section 3**
25

26 **SECTION 3: CALIFORNIA STATUTORY RIGHT OF PUBLICITY**
27

28 **(Jury Instruction No. 5)**

1
2 On the claim of Plaintiff Larry Flynt against Defendants Flynt Media
3 Corporation, Jimmy Flynt, II and Dustin Flynt for violating Larry Flynt's
4 statutory right of publicity, we the jury make the following findings:

5
6 Did Larry Flynt prove by a preponderance of the evidence that the
7 Defendants violated his right of publicity?

8
9 (a) As to Defendant FLYNT Media Corporation: Yes ____ No X

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11 (b) As to Defendant Jimmy Flynt, II: Yes ____ No X

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13 (c) As to Defendant Dustin Flynt: Yes ____ No X

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15
16 Please proceed to Section 4

17
18 **SECTION 4: WRONGFUL APPROPRIATION OF NAME/ LIKENESS**
19 **UNDER CALIFORNIA LAW (Jury Instruction No. 6)**
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21 On the claim of Plaintiff Larry Flynt against Defendants Flynt Media
22 Corporation, Jimmy Flynt, II and Dustin Flynt for wrongfully appropriating his
23 name or likeness, did Plaintiff Larry Flynt prove by a preponderance of the
24 evidence that Defendants wrongfully appropriated his name or likeness?

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26 (a) As to Defendant FLYNT Media Corporation: Yes ____ No X

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28 (b) As to Defendant Jimmy Flynt, II: Yes ____ No X

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(c) As to Defendant Dustin Flynt:

Yes _____ No X

When you have completed the Sections 1-4, please sign and date this form
and return it to the bailiff.

Signed: _____

REDACTED

Presiding Juror

Dated: _____

12/11/2009